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ENVIRONMENTAL PROTECTION

AIR QUALITY, ENERGY, AND SUSTAINABILITY

DIVISION OF AIR QUALITY

Notice of Administrative Change

N.J.A.C. 7:27-22.11

Take notice that the Department of Environmental Protection (Department) is announcing an administrative change to N.J.A.C. 7:27-22.11(e).

N.J.A.C. 7:27-22.11 sets forth the procedures by which the Department will obtain comment from the public and affected states on certain draft permits. N.J.A.C. 7:27-22.11(e) provides, in part, that the Department will provide notice of draft operating permits through an electronic mailing list to which members of the public may subscribe. N.J.A.C. 7:27-22.11(e) identifies that electronic mailing list as the Department's "Air Quality Regulation Listserv." Since N.J.A.C. 7:27-22.11(e) was originally adopted, the Department has changed its listserv delivery platform. Specifically, members of the public no longer receive notices from an individually titled email address associated with the a specific Department listserv. Instead, the Department now uses a single electronic mail address (NJDEP@public.govdelivery.com) to deliver notices on behalf of each electronic mailing list that the Department maintains. Moreover, the Department has determined that the name of this particular listserv, "Air Quality Regulation Listserv," is misleading. The principal purpose of the electronic mailing list identified in N.J.A.C. 7:27-22.11 is to update subscribers when the Department makes changes related to its permits; whereas, the name suggests the listserv's principal purpose is to update subscribers when the Department

makes changes to its rules. In fact, the Department maintains one electronic mailing list to notify subscribers of changes related to its permits, and a separate electronic mailing list to update subscribers on rules and state implementation plan revisions.

For these reasons, the Department has decided that deleting the reference to the name of this electronic mailing list will minimize the potential for confusion. New subscribers will sign up based on the description of the purpose of the electronic mailing list as set forth on the Department's webpage. Existing subscribers will not be required to take any action as a result of the name change, but will continue to receive notice of the draft permits identified in N.J.A.C. 7:27-22.11.

Full text of the changed rule follows (additions indicated in boldface **thus**):

7:27-22.11 Public Comment

(a)-(d) (No change.)

(e) The Department will post the public notice and each draft operating permit on the Department's air permitting website (www.nj.gov/dep/aqpp) for the duration of the public comment period. The Department will also provide notice of the draft operating permit using e-mail, postal service, or other means to persons on a mailing list developed by the Department, including to persons who request in writing to be on the mailing list or who subscribe to the Department's [Air Quality Regulation Listserv] **electronic mailing list that provides periodic email notices when the Department makes changes to permit-related activities**. The Department may occasionally update the mailing list and may delete from the list the name of any person who does not respond to the Department's request for a

written indication of continued interest in being on the list, or for whom a notice returns to the Department as undeliverable. The Department will publish the notice for each draft general operating permit in the New Jersey Register. The Department may also provide additional notice by using any other means the Department finds appropriate for ensuring adequate notice to the public of the opportunity for public comment.

(f)-(n) (No change.)